

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FILE NUMBER: 194B-DL-110802

CALL IDENTIFICATION NUMBER: Redacted .002

DATE OF RECORDING: 1/22/2020

TIME OF RECORDING: 3:56 p.m.

TYPE OF RECORDING: Telephone Call

OFFICE: DL

IDENTIFIERS:

Special Agent Fleshman is referred to as SAF

Leslie Martin is referred to as LM

Ruel Hamilton is referred to as RH

1 SAF: All right. This is Special Agent
2 Fleshman, I'm heal -- here with Special Agent Vanhorn.
3 Today's date is January the 22nd, 2020. The time is
4 approximately 3:56 p.m.

5 We're going to attempt a consensually
6 recorded telephone call between Leslie Martin and Ruel
7 Hamilton at telephone number 469.441.3934.

8 (Telephone ringing.)

9 RH: Hi, Leslie.

10 LM: Hey, Ruel. This stuff has --

11 RH: What's going --

12 LM: -- really been stressing me out.

13 RH: Okay.

14 LM: I don't understand why -- how come
15 it's not being handled the same as it was previously
16 when we had the tax issues? Any reason why? I mean,
17 I didn't need an attorney at that point --

18 RH: Well, I -- Leslie, the federal
19 government wasn't trying to find any reason they could
20 to bury me back then. This -- this guy -- I mean, I --
21 I'm -- I'm under Indictment. The guy's convinced I'm a
22 bad guy and so he's digging up anything he can, trying
23 -- trying to turn over any stone he can to -- to come
24 after me. The reality is it is no different, Leslie.
25 It is no different. So --

1 LM: Okay.

2 RH: -- the only reason I -- I -- I
3 mean, it's -- it's the same thing, you know. They
4 could -- they could pursue the hundred percent penalty
5 except there's not one. The guy's just -- you know, I
6 -- I -- I don't know why the man's so fascinated with
7 trying to get me.

8 (Redacted portion.)

9 RH: So it's the only reason that I even
10 reached out to you is because they raised that issue
11 with my attorney.

12 LM: The payroll tax?

13 RH: The payroll tax. They just
14 suggested that was another way. They haven't -- they
15 haven't alleged any charges. You know, they haven't
16 filed anything and they can't without going through the
17 U.S. Attorney's Office in Washington, you know. And
18 now I've got an attorney that, you know, is a part of
19 the same firm that that's what he specializes in and so
20 he's going to handle it if -- if they try to do
21 anything else for it. But I'm sorry if it stressed you
22 out. You know --

23 LM: I've just got a lot going on and,
24 you know, that's just one more thing --

25 RH: You know --

1 LM: -- to add to it and --

2 RH: -- just a -- one -- one more thing,
3 but you know --

4 LM: And -- yeah, you know, just the
5 fact that I didn't do anything wrong here and --

6 RH: You didn't do anything wrong. Let
7 -- let me -- let me just -- let me just throw out there
8 why I -- I reached out to you. It's because, you know,
9 I've learned a lot about how the FBI and how the
10 government works now. They will -- they will say
11 anything. They will make up anything. They don't have
12 to tell the truth. They could show up at your door and
13 tell you a lie and it's perfectly acceptable.

14 They could tell you that Ruel said you
15 should have paid these and you didn't. And they're --
16 but -- and that doesn't have to be any truth to it. So
17 beyond that -- so the only reason I reached out is
18 because --

19 (Redacted portion.)

20 RH: Happens the minute you're
21 represented by Counsel is that they've got to go
22 through your attorney. So they can't talk to you,
23 essentially, unless your attorney says they can. Okay?

24 LM: Hmm.

25 RH: Now --

1 LM: Okay.

2 RH: -- so nothing else could happen
3 other than, I don't know how far they could dig into
4 it. I don't know where they would get your name. But
5 so what's -- what's happened, Leslie, one --

6 (Redacted portion.)

7 RH: Tax issues and stuff like that. So
8 you -- you have --

9 LM: Hmm.

10 RH: -- no exposure. The only reason I
11 even brought it up is not -- you don't need it to --
12 you know, necessarily to have somebody represent you,
13 you know. But what it does do is if you don't want to
14 interact with them, then you don't have to, that's all.

15 LM: Okay.

16 RH: And that -- so if they decided they
17 -- so you can leave it like this if you want to --

18 LM: Oh --

19 RH: -- Leslie, you could see if they --
20 see if anybody reaches out to you. And if they do,
21 just take a number and say I'll have my attorney get in
22 touch with you.

23 LM: Yeah.

24 RH: You know, they can't make you talk
25 to them. You can if you want to.

1 LM: Yeah.

2 RH: But I can't -- and I can't tell you
3 not to talk to them because I can get in trouble. But
4 all I -- all I wanted to make sure is you, like
5 everybody else, understood that in the event you wanted
6 us to hire Counsel for you, we would. It's totally
7 unfair for you to have to hire an attorney at your own
8 expense to represent you for something that happened 10
9 years ago for a place you don't work anymore anyway.

10 LM: Yeah, I --

11 RH: So that's --

12 LM: -- I --

13 RH: -- not fair.

14 LM: -- I -- I got you.

15 RH: And but I mean these -- these
16 people are -- these people are awful. And the -- the
17 -- the problem is, and it's just like you see on
18 television, I mean, they don't have to tell the truth.

19 (Redacted portion.)

20 RH: They could -- now, the one who
21 called and left a message with Jennifer, he said he was
22 with the IRS and it was, I don't know, Special
23 Investigations Division, so he could have been, I don't
24 know.

25 LM: Uh-huh.

1 RH: Now, the --

2 LM: They just left a message? She
3 didn't talk to him?

4 RH: She didn't talk to him.

5 LM: Okay.

6 RH: We hired an -- she -- we hired an
7 attorney --

8 LM: Oh, okay.

9 RH: -- And --

10 LM: This is after --

11 RH: -- and the same thing and so, you
12 know, now, we -- you know, but the -- the only thing
13 that -- you know, the only reason I -- what we do know
14 and I didn't find that out -- I don't even know if I
15 knew this when I talked to you, but how they started
16 looking at the payroll tax issue is we found out, I
17 don't know, it could be a couple weeks ago now that --
18 or longer, maybe I did know this when I called and
19 maybe that's why I went ahead and called because I
20 wasn't going to bug you otherwise. But they subpoenaed
21 ML's records --

22 LM: Uh-huh.

23 RH: -- back in, like -- back in like
24 November, late November, early December, and they met
25 with ML. So -- so the payroll tax issue to come up, it

1 had to come from him. Okay? And --

2 LM: Yeah.

3 RH: -- I don't know if they just went
4 fishing or if they looked at it or what it was. Now,
5 obviously I don't know what he told them. ML, you
6 know, basically about the time this happened sold his
7 firm to another one, he's joining them and they won't
8 let him represent me anymore.

9 LM: He is not with --

10 RH: So ML --

11 LM: -- he's not with Speer & Associates
12 anymore?

13 RH: Well, no, they've joined a, let's
14 see what you call it --

15 LM: Oh --

16 RH: Yeah, you probably got a letter or
17 something.

18 LM: Or -- okay. So --

19 RH: So I -- I -- so I don't know. My
20 only concern on -- you know, is if for some reason they
21 knew your name, Leslie, it would only be because ML
22 told them. They asked a question.

23 LM: Okay.

24 RH: And they -- they asked him who all
25 was involved on these calls or whatever.

1 LM: Okay.

2 RH: And now -- now, I can -- I can --
3 you know, it's -- instead of freaking you out, one
4 thing we can do is my -- my attorney, Abbe Lowell, is
5 based out of Washington D.C. He's literally the finest
6 attorney in the country on this stuff and he probably,
7 he may or may not want to ask you some questions, but
8 he would be more -- if -- if you want to speak to him,
9 he'd be more than happy to tell you, you know.

10 LM: Whatever questions --

11 RH: What --

12 LM: -- I have.

13 RH: -- what your -- what your rights
14 are, yes, absolutely. Yes, I can set that up. Now,
15 he's a busy guy, but I mean, it's -- and the only thing
16 that he knows, what we've told him is that on these
17 payroll taxes and on the 2010 is that you were actually
18 the one that made the phone call that pushed the
19 buttons that made the payment. You had no
20 responsibility for doing anything other than processing
21 the payment. You didn't have any authority over
22 whether to pay the taxes, you just paid them if we told
23 you there was money.

24 LM: Uh-huh.

25 RH: That's all.

1 LM: Yeah. Correct.

2 RH: So I mean, Abbe knows you're not a
3 decision maker, he knows that. And you know, ML knew
4 you weren't the decision maker. But see, I don't know
5 what they talked to ML about.

6 So what -- what you can do and -- and you
7 know, if you want to talk to Abbe, you know, to --
8 to -- maybe to get some peace of mind on it, you can.
9 If you want to just wait and see what happens, you can.
10 And -- but I just want to make sure you understand that
11 if -- if you felt like you wanted to be represented by
12 Counsel, not because -- not because you did anything
13 wrong but just because you don't want to get drug into
14 anything --

15 LM: Uh-huh.

16 RH: -- then we -- we will hire you an
17 attorney. We will pay for an attorney, the same one
18 for everybody. Now, you can wait and see if somebody
19 reaches out to you.

20 LM: Okay.

21 RH: And --

22 (Redacted portion.)

23 LM: Oh.

24 RH: You can take a card and say I'll
25 have my attorney get in touch with you, if you don't

1 want to speak to them. If you want to speak to them,
2 you can.

3 LM: Yeah, I don't really know how --

4 RH: What -- what -- what they --

5 LM: -- that stuff works.

6 RH: -- what -- what the -- what they --
7 what they really -- what they really want people to do
8 is, you know, they -- they -- it's through
9 intimidation.

10 LM: Uh-huh.

11 RH: You know, they try to say, oh,
12 okay, you won't talk to us, then you must be guilty.

13 LM: Uh-huh.

14 RH: They'll say shit like that.

15 LM: Yep, seen that --

16 RH: I mean, it's true --

17 LM: -- on TV.

18 RH: -- it's -- it's -- it's really bad.
19 That's all. But again, my message is I wanted you to
20 -- to have a heads up in case it came up.

21 LM: Okay.

22 RH: Okay?

23 LM: Well, I guess --

24 RH: And -- and -- but no, you did
25 nothing and I would tell them you did nothing. I've

1 told -- I mean, we all know that. Only thing you did
2 is you were the ones that ran the reports on ADP and
3 then when you actually -- after we talked to you or
4 maybe you and I and ML or I got -- ML makes it sound
5 like he didn't know anything about it. And of course
6 you know -- you know, and Jennifer know that's not the
7 case.

8 LM: Uh-huh.

9 RH: He was -- he was basically advising
10 us, but what's he going to say?

11 LM: Right.

12 RH: And -- and so that -- that -- that
13 was -- you know, that was it. So -- but again, if you
14 want to talk to them, you can. If you don't want to,
15 you don't have to. But you can literally take their
16 card and say I will have my attorney get in touch with
17 you or I'm represented by Counsel, I don't wish to
18 speak to you without Counsel and they -- they can't do
19 anything.

20 LM: Okay.

21 RH: That's all. Now, it's -- what's
22 scary is they suck people in.

23 LM: Yeah. Yeah --

24 RH: Uh-huh, and --

25 LM: -- it's not like --

1 RH: -- and then they'll --

2 LM: -- people deal with them every day,
3 so don't --

4 RH: -- and then they'll --

5 LM: -- know how to handle.

6 RH: -- and they're -- then they'll --
7 they'll do this thing, you're lying to the FBI. It's a
8 federal offense -- you know, it's just -- it's like a
9 bunch of stormtroopers, it's horrible.

10 LM: Okay.

11 RH: But I'm sorry I stressed you out.
12 Don't worry about it.

13 LM: Well, I --

14 RH: It's just we've got an attorney
15 that's representing everybody else and -- and should it
16 come to that and you -- you want to have Counsel
17 represent you, you just need to let me know.

18 LM: Okay.

19 RH: And --

20 LM: I mean, I --

21 RH: -- and we can -- we can get Sarah
22 to -- we'll get a retainer, we'll get an agreement that
23 you'd have to sign and then -- then it's there. And
24 you know, and --

25 LM: I mean, I guess I don't see any

1 reason I wouldn't talk to them if they contact me,
2 but...

3 RH: It's up to you. Now, you can
4 decide whether you want to or -- or not. Now, my
5 main --

6 LM: I mean, simply -- simply because,
7 you know, I didn't do anything wrong and you're the one
8 that didn't --

9 RH: Leslie --

10 LM: -- pay the taxes.

11 RH: -- Leslie, I've got --

12 LM: And --

13 (Redacted portion.)

14 RH: Wrong. So the mere fact that you
15 did nothing wrong does not keep you out of trouble with
16 these people. You know --

17 LM: If --

18 RH: -- if they felt like they could
19 intimidate you into doing something, they would do it.
20 So I mean, what -- what -- just out of curiosity, if
21 they told you I said -- well, they said, well, you
22 know, Ruel's the first one to plead guilty on this is
23 the -- the one that's going to get the deal. You know,
24 and Jennifer's talking and Ruel's talking and all,
25 that's what they do.

1 LM: Uh-huh.

2 RH: You know, and -- so that -- that's
3 all, you know. I mean, it's just --

4 (Redacted portion.)

5 RH: And you know, they can ask the --
6 you know, they can ask you questions if you wanted to
7 meet with them, but you don't have to. And quite
8 frankly, I think Abbe, my attorney, would tell you, you
9 don't want to talk to them because there's nothing good
10 that's going to come from it. I mean --

11 LM: Yeah, I understand.

12 RH: -- it's not -- it's not like -- it's
13 not like they're going to -- you know, you're going to
14 get any brownie points or --

15 LM: I understand.

16 RH: -- anything.

17 LM: I -- I understand totally.

18 RH: So -- so you know, what you could
19 do then is just -- I'm sorry if I stressed you out.
20 Least you -- least you got the heads up.

21 LM: Yeah.

22 RH: You know, if -- if they reach out
23 to you, you can, like I said, you can talk to them if
24 you want or you can say let me get with my attorney and
25 get back with you and you can decide what you want to

1 do. That's -- chances are you're not going to hear
2 from them.

3 LM: Yeah.

4 RH: Chances are you're not going to
5 hear from them because what we're working on doing is
6 we're working on shutting this whole angle down dealing
7 with -- we're -- we're wheeling -- we've gone above
8 these guys' heads on a -- on a payroll tax issue.
9 We've gone over their head. We're dealing with the big
10 brass in Washington because this should not be come up
11 (sic).

12 There's nothing criminal, you know, as
13 long as you pay all the -- the employee withholding
14 over it, they can't make a criminal case. But you
15 know, the -- these just -- these guys will charge, you
16 know, with me they -- they just -- my God, it's just
17 amazing. I've learned so much, that you don't have --
18 that they just charge people with shit even if they
19 know --

20 LM: Yeah, I mean --

21 RH: -- it's not real --

22 LM: -- I've seen a lot on TV --

23 RH: -- because they -- they know
24 you're --

25 LM: -- you know.

1 RH: -- you're -- because they're --
2 that's just how it works.

3 LM: Yeah.

4 RH: Now, unfortunately they treat
5 everybody like they're the mob, you know. They --
6 that's just practices they came up with long ago and so
7 they assume everybody that they talk to that ever
8 worked with anybody that any Defendant or whatever must
9 be bad. I'm a bad guy, that's what they think.

10 LM: Yeah.

11 RH: Throwing money around so I'm a bad
12 guy. So if you work for Ruel, you must be bad guy too
13 or bad girl, too. That's just sort of how it is.

14 So why don't you just, you know -- why
15 don't you just hold out and wait and see, Les.

16 LM: Yeah, I -- I -- I just -- I don't
17 -- I don't want to be involved in this at all. And
18 honestly, I don't want to talk -- I don't want to talk
19 to your attorneys --

20 RH: That's fine.

21 LM: -- right now. I don't want to -- I
22 just -- I'm just going to hang back and, you know, just
23 see if --

24 RH: Why don't you do that?

25 LM: -- contact me.

1 RH: Why -- why don't you do that and
2 then you can make a decision.

3 LM: Okay.

4 RH: And you can, you know, see what
5 they say and -- you know, I don't -- I don't know. I
6 don't know, you know.

7 LM: Okay.

8 RH: You know, and -- and you know, I
9 mean, you know, they -- I mean, ML knows you were gone,
10 you know. He knows it was a long time ago. I -- I --
11 and I couldn't ask ML. I mean, I have -- I can't do
12 any of that. I talked to ML when he told me he
13 couldn't do my work anymore and so we're having the
14 forms (unintelligible) people doing -- doing our
15 audits.

16 LM: Oh.

17 RH: But I -- see, I don't know.

18 LM: Oh, so because he doesn't do the
19 accounting anymore.

20 RH: Well, it's -- this is the first
21 year --

22 LM: It'll be the taxes --

23 RH: -- he's not doing --

24 LM: -- not the accounting, I'm sorry,
25 the taxes.

1 RH: Yeah, no, he's --

2 LM: Okay.

3 RH: -- he -- he did our tax returns in
4 2018. He's not doing any of them in 2019.

5 LM: Okay. Got you.

6 RH: So --

7 LM: What a mess. Okay.

8 RH: Yeah, so just, you know --

9 LM: Yeah.

10 RH: -- wait and see and make a decision
11 later. And you know what, if somebody shows up at your
12 door, you can -- you can just tell them let me think
13 about it, you know, or let me talk to an attorney, see
14 what my rights are or you can be -- you know, whatever.

15 LM: All right.

16 RH: But you -- you know, it's -- what
17 -- what the -- well, my -- my advice, if anybody asked
18 me what should I -- what should I do, this is anybody,
19 anywhere, any time, I would say don't speak to law
20 enforcement without -- guilty or not without legal
21 representation.

22 LM: Uh-huh.

23 RH: Just because it's just, you know, I
24 mean, it's just -- gah, I mean, it's just a nightmare.

25 LM: Okay.

1 RH: I mean --

2 LM: Okay. I hear what you're saying,
3 so...

4 RH: But like, I'm not going to -- I'm
5 not keeping you from doing it. I can't tell you you
6 can't do it, you know, because I can get in trouble --

7 LM: Okay.

8 RH: -- if I said don't do it, you know,
9 I can get --

10 LM: Yeah.

11 RH: -- in trouble --

12 LM: Yeah.

13 RH: -- and you know, it's just -- you
14 know, I'm hoping to keep everybody out of this.

15 LM: Okay.

16 RH: But my -- my -- my way to try to
17 keep everybody out of this was to make sure everybody
18 knew what was going on. If there's any possibility
19 that you might be contacted, I thought that I should
20 let you know.

21 LM: Okay.

22 RH: That's it. So that's what I did.

23 LM: Okay. I appreciate it.

24 RH: Okay.

25 LM: Okay. Talk to you later.

1 RH: All right.

2 LM: Uh-huh.

3 RH: Thanks.

4 LM: Bye-bye.

5 RH: Bye.

6 SAF: This is Special Agent Fleshman
7 taking recovery of the recording device. The time is
8 approximately 4:17 p.m.

9 That concludes the call.

10 (End of recording.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF TEXAS)

2 COUNTY OF DALLAS)

3 THIS IS TO CERTIFY THAT I, MELISSA J. CARSON,
4 a Certified Shorthand Reporter in and for the State of
5 Texas, reported in shorthand the recorded proceedings
6 had at the time and place set forth in the caption
7 hereof, and that the above and foregoing 22 pages
8 contain a full, true, and correct transcript to the
9 best of my ability of the said recorded proceedings.

10 Certified to on this the _____ day
11 of _____, 2019.

12

13

14

15

16

17

18 Certification No. 1737

19 CRCB Firm Registration #489

20 Expires December 31, 2019

21 CARSON REPORTING & ASSOCIATES

22 Post Office Box 551628

23 Dallas, Texas 75355-1628

24 Telephone 214.346.3434

25

MELISSA J. CARSON, Certified
Shorthand Reporter in and for
The State of Texas